

197 Rec'd PCT/PTO 19 APR 2006

PATENT

Attorney Docket No.: HALO1330-1 (formerly DELIA1330-1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Frost et al. Art Unit: Not Yet Assigned  
Application No.: 10/539,110 Examiner: Not Yet Assigned  
I.A. Filing Date: December 15, 2003 Conf. No.: 9011  
Title: HUMAN CHONDROITINASE GLYCOPROTEIN (CHASEGP),  
PROCESS FOR PREPARING THE SAME, AND PHARMACEUTICAL  
COMPOSITIONS COMPRISING THEREOF

**Mail Stop PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

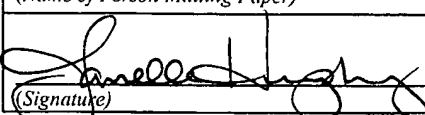
**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35**

**U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 mailed February 23, 2006, enclosed are:

1. One (1) copy of the Notification of Missing Requirements under 35 U.S.C. 371 mailed February 23, 2006 (2 pages);
2. One (1) executed Declaration For Patent Application (4 pages);
3. One (1) Power of Attorney by Assignee (2 pages);
4. Preliminary Amendment in Response to Notification of Missing Requirements under 35 U.S.C. 371 (3 pages);

<b>CERTIFICATION UNDER 37 CFR §1.10</b> "EXPRESS MAIL" Mailing Label Number: <b>EV 841 622 911 US</b> Date of Deposit: <b>April 19, 2006</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
JANELLE HUMPHREY (Name of Person Mailing Paper)	
 (Signature)	April 19, 2006 (Date)

In re Application of:

Frost et al.

Attorney Docket No.: HALO1330-1 (formerly DELIA1330-1)

PATENT

Application No.: 10/539,110

I.A. Filing Date: December 15, 2003

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5. Statement under 37 CFR § 1.821(f) and (g) (1 page);
6. Verified Statement under 37 CFR § 1.821(f) (1 page);
7. Sequence Listing (12 pages);
8. One (1) CFR Disk Containing Sequence Listing;
9. Check No. 581556 in the amount of \$65.00; and
10. Return Receipt Postcard.

Applicants claim **SMALL ENTITY** status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	56-20	=	36	X	\$25	\$50	=	[\$ 900.00]	\$ .00
Independent Claims	5-3	=	2	X	\$100	\$200	=	[\$ 200.00]	\$ .00
Multiple Dependent Claims Present: ____ Yes <u>x</u> No					\$180	\$360	.	N/A	N/A
Fee for Each Additional 50 Sheets in Excess of 100 Pages					\$125	\$250		N/A	N/A
					FILING FEE			[\$ 150.00]	\$ 300.00
					SEARCH FEE			[\$ 50.00]	\$ 100.00
					EXAM FEE			[\$ 50.00]	\$ 100.00
					SURCHARGE FEE			\$ 65.00	\$ 130.00
					TOTAL FEE			\$ 65.00	

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65.00

In re Application of:

Frost et al.

PATENT  
Attorney Docket No.: HALO1330-1 (formerly DELIA1330-1)

Application No.: 10/539,110

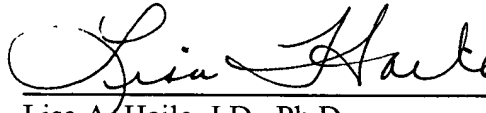
I.A. Filing Date: December 15, 2003

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Enclosed is Check No. 581556 in the total amount of \$65.00; which consists of \$65.00 for the late declaration surcharge fee pursuant to 37 CFR 1.492(e). The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: April 19, 2006



Lisa A. Haile, J.D., Ph.D.

Registration No.: 38,347

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**USPTO CUSTOMER NUMBER 28213**

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MAR 03 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

DLA PIPER

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,110	Gregory I Frost	DELIA1330-1

INTERNATIONAL APPLICATION NO.
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PCT/US03/40090

I.A. FILING DATE	PRIORITY DATE
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12/15/2003

12/16/2002

28213

DLA PIPER RUDNICK GRAY CARY US  
4365 EXECUTIVE DRIVE  
SUITE 1100  
SAN DIEGO, CA 92121-2133

PATENT DOCKETING

MAR 03 2006

DLA PIPER

CONFIRMATION NO. 9011

371 FORMALITIES LETTER



\*OC000000018065151\*

Date Mailed: 02/23/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/13/2005
- Copy of the International Search Report filed on 06/13/2005
- Preliminary Amendments filed on 06/13/2005
- Small Entity Statement filed on 06/13/2005
- Request for Immediate Examination filed on 06/13/2005
- U.S. Basic National Fees filed on 06/13/2005
- Priority Documents filed on 06/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/539,110

INTERNATIONAL APPLICATION NO.

PCT/US03/40090

ATTY. DOCKET NO.

DELIA1330-1

FORM PCT/DO/EO/905 (371 Formalities Notice)